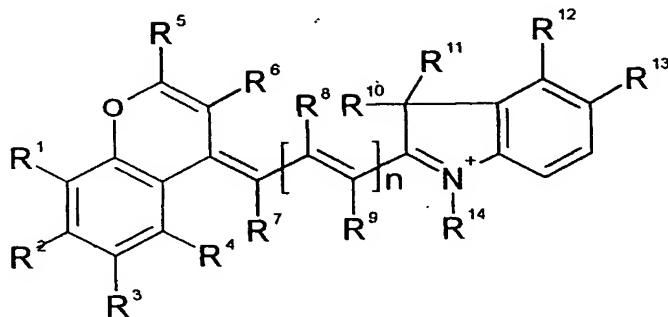


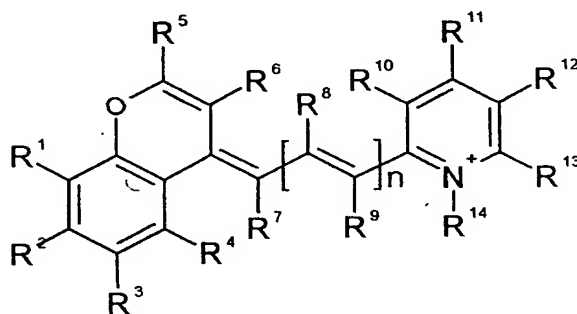
### Amendments to the Claims

21-40. (cancelled)

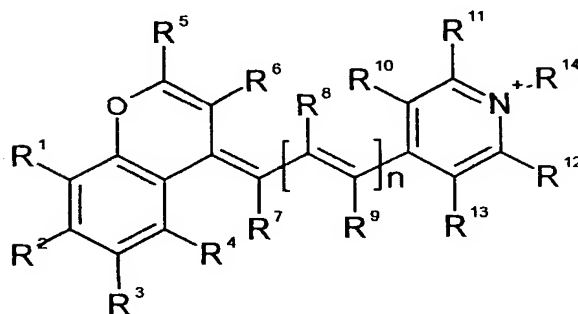
41. (new) Laser-compatible NIR marker dyes based on polymethines of the general formula I, II or III



I



II



III

wherein  $R^1$  to  $R^{14}$  are equal or different and are present in each case hydrogen, chlorine, bromine, an aliphatic or mononuclear aromatic group, each having at most 12 carbon atoms which may contain as a substituted group in addition to carbon and hydrogen, up to 4 oxygen atoms and zero, one or two nitrogen atoms or a sulfur atom or a sulfur and a nitrogen atom or represent an amino function, having a nitrogen atom to which there is bound, hydrogen or at least one substituent having up to 8 carbon atoms, said substituent selected from the group consisting of carbon, hydrogen and up to two sulfonic acid groups,

42. (new) The marker dye of claim 41, wherein at least one of the groups  $R^1$  to  $R^{14}$  contains a solubilizing or ionizable group.
43. (new) The marker dye of claim 42, wherein said solubilizing or ionizable group is bound via an aliphatic or heteroaliphatic group.
44. (new) The marker dye of claim 42, wherein the solubilizing or ionizable group is  $SO_3^-$ ,  $CO_2H$ ,  $OH$  or a combination thereof.
45. (new) The marker dye of claim 41, wherein at least one of the said groups  $R^1$  to  $R^{14}$  contains a reactive group which is capable of reacting with a biomolecule to form a covalent bond.
46. (new) The marker dye of claim 45, wherein the reactive group is a N-hydroxysuccinimide ester group or a maleimide group or a phosphoramidite group.
47. (new) The marker dye of claim 45, wherein any of the groups  $R^1$  to  $R^{14}$  which is aliphatic and contains from 1 to 6 carbon atoms.
48. (new) The marker dye of claim 41, wherein n represents zero, 1 or 2.